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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,511	04/01/2004	Doree Duncan Seligmann	630-067US	8627

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EXAMINER
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RAMPURIA, SHARAD K

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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05/04/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/816,511

Applicant(s)

SELIGMANN, DOREE DUNCAN

Examiner

Sharad Rampuria

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6, 8, 9, 14-22, 36-47, 50-52 and 64-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 8, 9, 14-22, 36-47, 50-52 and 64-75 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

#### ***Disposition of the claims***

II. The current office-action is in response to the Amendment - After Non-Final Rejection filed on 02/05/2007.

Accordingly, Claims 4-5, 7, 10-13, 23-35, 48-49, 51 and 53-63 are cancelled and Claims 64-75 is newly appended claims, thus, Claims 1-3, 6, 8-9, 14-22, 36-47, 50-52, and 64-75 are imminent for further assessment as follows:

#### ***Claim Rejections - 35 USC § 102***

III. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 6, 8-9, 45-47, 50-52, and 64-75 are rejected under 35 U.S.C. 102 (e) as being anticipated by Beamish et al. [US 6694143].

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As per claims 1, 45, 64, 71, Beamish teaches:

A method (Abstract) comprising:

Receiving at a mobile telecommunications terminal a command that reads the value of a datum, (e.g. receiving at a mobile telecommunications terminal a command; Col.7; 11-14) and

Determining whether to execute said command based on said geo-location of said mobile telecommunications terminal and on said value. (e.g. determining whether to execute said command; Col.7; 14-23).

As per claims 2, 46, Beamish teaches:

The method of claims 1, 45, wherein the determination whether to execute said command is also based on the identity of the user of said mobile telecommunications terminal. (e.g. a device's identity; Col.5; 52-60)

As per claims 3, 47, 66, 70, 73, Beamish teaches:

The method of claims 1, 45, wherein the determination whether to execute said command also based on the calendrical time at said mobile telecommunications terminal. (e.g. the date/time; Col.5; 60-67)

As per claims 49, 67, Beamish teaches the method of claims 48, wherein said perimeter is based on the nature of said command. (e.g. based on the command; Col.5; 5-36)

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As per claims 6, 50, 68, 75, Beamish teaches the method of claims 1, 48, wherein said perimeter is based on an argument of said command. (e.g. the processing data based on command; Col.5; 5-36)

As per claims 72, Beamish teaches:

The method of claims 71, wherein said perimeter is based on the identity of the user of said mobile telecommunications terminal. (e.g. a device's identity; Col.5; 52-60)

As per claims 8, 52, 69, Beamish teaches:

The method of claims 1, 48, 58, wherein said command comprises reading a value associated with a descriptor, and wherein said perimeter is based on the geo-location at which said value is stored. (e.g. within certain range; Col.3; 58-66)

As per claims 9, Beamish teaches:

The method of claims 1, wherein said command comprises reading a value associated with a descriptor, and wherein said perimeter is based on said descriptor. (e.g. within certain range; Col.3; 58-66)

Claims 14-22, 36-44 are rejected under 35 U.S.C. 102 (e) as being anticipated by Vanska et al. [US 7072672].

As per claims 14, 36, Vanska teaches:

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A method (Abstract) comprising:

Receiving at a mobile telecommunications terminal a request to access content, (e.g. a user input from keypad; Col.9; 32-47, Col.2; 1-13) and

Determining a version of said content to access based on the geo-location of said mobile telecommunications terminal. (e.g. a version; Col.8; 58-Col.9; 5, Col.10; 31-47)

As per claims 15, 37, Vanska teaches:

The method of claims 14, 36, wherein the determination whether to execute said command is also based on the identity of the user of said mobile telecommunications terminal. (e.g. a user's identity; Col.9; 45-52, Col.4; 11-43, Col.10; 13-30)

As per claims 16, 38, Vanska teaches:

The method of claims 14, 36, wherein the determination whether to execute said command also based on the calendrical time at said mobile telecommunications terminal. (e.g. the current date/time; Col.9; 45-52, Col.4; 11-43, Col.10; 13-30)

As per claims 17, 39, Vanska teaches:

The method of claims 14, 36, wherein the determination whether to execute said command comprises determining whether said geo-location of said mobile telecommunications terminal is inside a perimeter. (e.g. trigger a location parameter; Col.9; 45-52, Col.4; 11-43, Col.10; 13-30)

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As per claims 18, 40, Vanska teaches:

The method of claims 17, 39, wherein said perimeter is based on the identity of the user of said mobile telecommunications terminal. (e.g. a user's identity; Col.9; 45-52, Col.4; 11-43, Col.10; 13-30)

As per claims 42, Vanska teaches:

The method of claims 39, wherein said command comprises reading a value associated with a descriptor, and wherein said perimeter is based on the geo-location at which said value is stored. (e.g. the user's input data; Col.9; 45-52, Col.4; 11-43, Col.10; 13-30)

As per claims 41, Vanska teaches:

The method of claims 39, wherein said command comprises reading a value associated with a descriptor, and wherein said perimeter is based on said descriptor. (e.g. the user's input data; Col.9; 45-52, Col.4; 11-43, Col.10; 13-30)

As per claim 19, Vanska teaches:

The method of claim 17 wherein said perimeter is based on said content. (e.g. the user's input data; Col.9; 45-52, Col.4; 11-43, Col.10; 13-30)

As per claim 20, Vanska teaches:

The method of claim 17 wherein said perimeter is based on the geo-location at which said content is stored. (e.g. the user's input data; Col.9; 45-52, Col.4; 11-43, Col.10; 13-30)

As per claim 21, 43, Vanska teaches:

The method of claims 14, 36, wherein a first version of said content is associated with a first medium, and wherein a second version of said content is associated with a second medium. (e.g. the user's input data; Col.9; 45-52, Col.4; 11-43, Col.10; 13-30)

As per claims 22, 44, Vanska teaches:

The method of claims 14, 36, wherein a first version of said content is associated with a first authorization category, and wherein a second version of said content is associated with a second authorization category. (e.g. digital certificates; Col.9; 6-20)

#### ***Response to Remarks***

IV. Applicant's arguments filed on 02/05/2007 have been fully considered but they are not persuasive.

#### ***Relating to Claim 14:***

Since VANSKA teaches, " Deletion of a disposable mini-application also may occur in response to housekeeping means 206 determining that the mini-application is obsolete, as may be determined upon downloading a more recent version of the application than that currently stored in mobile terminal 100." (Vanska, Col.10; 31-47), which *corresponds* to the claimed limitation as "Determining a version of said content to access based on the geo-location of said mobile telecommunications terminal." Thus, a suitable version is downloaded based on the device,



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(Vanska, Col.10; 31-47), is exactly as applicant is rely upon, (e.g. Seligmann, US 20050239481, ¶ 0095), that certainly, anticipated by VANSKA. Hence, it is believed that *VANSKA still teaches the claimed limitations*.

The above arguments also recites for the claim 36, consequently the response is the same explanation as set forth above with regard to claim 14.

Because the remaining claims depend directly/indirectly, from one of the independent claims discussed above, consequently the response is the same explanation as set forth above.

With the intention of that explanation, it is believed and as enlighten above, the refutation are sustained.

#### ***Response to Amendments & Remarks***

V. Applicant's arguments with respect to claims 1-3, 6, 8-9, 45-47, 50-52 has been fully considered but is moot in view of the new ground(s) of rejection.

#### ***Conclusion***

VI. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or [EBC@uspto.gov](mailto:EBC@uspto.gov).

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